IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL.

Writ Petition No. 944(S/S)07

1. Bhaki Darshan Sanwal S/o Sri Alam Singh Sanwal,
   R/o Basant Vihar Colony, Gopeshwar, Chamoli,
2. Madan Lal S/o Sri Basti Lal,
   R/o village Raduwa, Patwari Circle-Raduwa,
   Tehsil Pokhari, District Chamoli,
3. Virendra Singh S/o Sri Hukam Singh Negi,
   R/o Basant Vihar Colony, Gopeshwar, Chamoli,
4. Subhash Chandra Gairola S/o Sri Ramesh Ch. Gairola,
   R/o Upper Bazar, Karanprayag, P.S. Karanprayag,
   District Chamoli. ----------Petitioners.

Vs.

1. State of Uttarakhand through Secretary Education,
   Civil Secretariat, Uttarakhand, Dehradun,
2. Director of School Education, Uttarakhand, Dehradun,
3. Principal, District Education & Training Institute,
   Gauchar, District Chamoli. --------Respondents.

Sri R.P. Nautiyal, learned for the petitioners.
Sri Paresh Tripathi, learned Brief Holder for State of Uttarakhand/respondents.

Hon'ble M.M. Ghildiyal, J.

Heard Sri R.P. Nautiyal, learned counsel for the petitioners and Sri Paresh Tripathi, learned Brief Holder for State of Uttarakhand/respondents.

The petitioners have preferred the instant writ petition for the following reliefs:-

i. Issue a writ, order or direction in the nature of certiorari calling for the records and quashing the merit list/result dated 17.07.2007 (annexure no.5 to this writ petition), issued by Principal, District Education & Training, Gauchar, District Chamoli-respondent no.3,

ii. Issue any writ, order or direction in the nature of mandamus commanding the respondent authorities to treat the candidature of petitioners in the merit list/ result dated 17.07.2007 (annexure no. 5 to this writ petition), issued by Principal, District Education & Training Institute, Gaucher, District- Chamoli- respondent no. 3 and accordingly consider the candidature of petitioners for interview in 6 moths Special B.T.C. training in District Chamoli,

iii. Pass any other and further orders, which this Hon'ble Court may deem fit and proper in the fact and circumstances of the case,

iv. Award the cost of writ petition to the petitioners.

It is submitted that the petitioners have applied for training in Special B.T.C. Course in pursuance of the advertisement issued on 10th July 2006. The petitioners have passed their B.P.Ed. Degree from Bhopal University, Bhopal and the result thereof was declared on 04.08.2006. The petitioners were issued their marks-sheets on 04.08.2006. Apprehension of the petitioners is that their candidature is not being considered for selection in Special B.T.C. Course, as they do not have in their possession their B.P.Ed. Degree, on the date when the advertisement was issued.

During the course of arguments, learned counsel for the petitioners has submitted that the petitioners may be permitted to move representation before the Appropriate Authority for redressal of their grievances.

The prayer is innocuous.

Thus, without entering into the merits of the case, I direct the petitioners to move representation before the Appropriate Authority within 10 days from today and if the petitioners comply with the order of this Court, the Appropriate Authority is directed to take decision on the representation of the petitioners, if any, within a period of three weeks from the date or receipt of representation alongwith a certified copy of this order.

With these directions, the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

August 6, 2007:
NCM: